

**TOWN OF WEBSTER**  
***Office of Selectmen***  
**945 Battle Street/Rte. 127**  
**Webster, NH 03303**

Webster Board of Selectmen's Meeting – April 6, 2009

6:35 P.M. Roll Call – Present: Chairman George Hashem, Selectman Thomas Mullins and Selectman David Klumb.

The Board signed the payroll check and vendor manifests as well as the following for Administrative Assistant Judith Jones:

- Selectman Klumb made a motion to accept the minutes of March 23, 2009 as written; seconded by Selectman Hashem and approved. Selectman Hashem made a motion to accept the non-public minutes (previously voted to be sealed) of March 23, 2009; seconded by Selectman Klumb and approved; and Selectman Hashem made a motion to accept the minutes of March 30, 2009 as written; seconded by Selectman Klumb and approved.
- A Veteran's Tax Exemption approved and signed as well as confirmation of two Veteran's Tax Exemption already in place;
- Reviewed and denied an application for an Elderly Exemption;
- An Intent to Cut for John Shurtleff for Map 9-30, 32, 33, 35 & 46;
- Purchase Order #7 for the Police Department to Information Management Corp in the amount of \$3,052 for IMC Software Support;
- Purchase Order #9 for the Fire Department to Greenwood Emergency Vehicles in the amount of \$819 for an alternator;
- Purchase Order #10 for the Police Department to Granite State Glass in the amount of \$1,200 for a rear window replacement in the 2005 cruiser;
- After much discussion, Purchase Order #11 for the Police Department for three tasers was tabled until the next meeting; and
- The Board signed appointment sheets for the Town Clerk for all those members appointed to the various Town Committees at the March 23<sup>rd</sup> Selectmen's meeting.

Financial Administrator Mrs. Pinkham advised that she has another Intent to Cut to be signed at a later date.

Police Chief Brian Milano presented his semi-monthly report. He requested that the Board sign the purchase order tonight that was tabled earlier for the tasers so that he could place the order. Selectman Hashem preferred to table this for further discussion at a later date. Selectman Klumb preferred to discuss it tonight. He asked if having the taser would have benefited last week's incident, to which Lieutenant Mitchell replied in the affirmative. Chief Milano preferred to discuss the purchase order tonight as he felt it was important and noted that everyone involved in the decision was present. He also advised that there were no insurance issues with use of the taser. Selectman Klumb asked if a report was made when a taser was used – yes, in an incident report. Chief Milano advised that there had been no reported fatalities with the use of taser though he was not sure how far an area the report covered. He advised that Officer Jason Killary was a certified instructor and would do the training. Martin Bourque spoke against the use of tasers as there were questions as to whether use could result in death. Selectman Klumb noted that he had seen tasers for sale to the public for \$249. Officer Killary fielded questions from the audience i.e. how they might affect one with medical issues; how it works; issues resulting from use on people on drugs or with neurological issues or possible falls resulting from their use. Chairman Mullins asked who ran the studies providing the statistics. Officer Killary indicated that it was the taser company as well as other agencies i.e. government, etc. with no known association with the use of tasers resulting in death. Chief Milano advised that this would be a tool to help save lives. Chris Vary, in favor, noted that they wouldn't be used on everyone. Brendan Merchant, from the Sheriff's Department; testified that it was a useful tool explaining the advantage over the use of a gun, noting that a bullet has the potential to kill and can give cause for lawsuits. Officer Killary would be the instructor, having spent two days in a class with Todd Faulkner of AZ, noting the class he would teach would be an eight-hour course which would coincide with the State of NH Use of Force Policy. Officer Killary described what a taser looks like, noting that those used by the Police were vastly different than those used by the public. Selectman Hashem asked how many surrounding Departments had them – Boscawen, Salisbury, the State Police, Allenstown, etc. Lieutenant Mitchell advised that the taser, when used, discharges a paper report. Cost to operate was about \$24 for each cartridge, with the training cartridges being less expensive. Each officer trained would be required to fire at least two "practice" shots. Chief Milano advised that the purchase order requested would allow supplies for approximately two years. Several residents spoke in favor of the purchase while others expressed concerns. He also noted that three tasers would supply each full-time officer with their own. Chairman Mullins felt that the issue should have been on the agenda in case there were any strong objections and again motioned that this be tabled until the next meeting; seconded by Selectman Hashem and approved. Chief Milano expressed concerns that the Board would take public comments over Department Head recommendations.

Deputy Fire Chief Jon King advised that Engine 2 was back in service.

Road Agent Emmett Bean advised that he was waiting for "Mother Nature" to be more cooperative.

7:57 P.M. Selectman Klumb made a motion to go into non-public session per RSA 91-A 3 II (a) to discuss personnel issues with Police Chief Milano and Mrs. Jones; seconded by Selectman Hashem. Roll Call: Chairman Mullins – yes; Selectman Klumb – yes; and Selectman Hashem – yes.

8:25 P.M. Selectman Klumb reconvened the meeting (as Chairman Mullins was losing his voice). He advised that personnel issues were discussed; the Board voted to seal the minutes and no decisions were made. Mrs. Blake asked as to when the Board announced that "no deci-

sions” were made, when was any action taken. Selectman Klumb advised that when the issue was regarding personnel issues that there were no decisions made, typically the meeting was just for fact finding.

The Board reviewed the recommendations of the Zoning Board of Adjustment and the Landfill Committee

Martin Bender	Member (ZBA)	2012
David Barnes	Member (ZBA)	2012
Linda Hook	Member (Landfill)	2012

Chairman Mullins made a motion to accept the recommendations as presented; seconded by Selectman Hashem and approved.

After discussing the Highway Committee, now down to two members, Mrs. Jones will find out what it would take to dissolve this committee. It was noted that the representatives to the Franklin Visiting Nurses Association's terms would not expire until 10/31/09.

The Board acknowledged the schedule of upcoming vacation time for the Office Staff.

Mr. Bourque asked if there was any information that could be shared regarding the pending lawsuit with Coldbrook Campground. Selectman Klumb advised that there was a preliminary hearing with the judge today, with no results received. Chairman Mullins thought that the Town should hear from Town Counsel shortly. When asked if it would be made public, both Chairman Mullins and Selectman Klumb felt that they could come up with a way of sharing the information. Selectman Klumb noted that the court hearings are public and that the Town is scheduled for court the week of May 11<sup>th</sup>. Chairman Mullins thought that today's court appearance with the ZBA was taken under advisement by the Judge; agreed by ZBA Member Pat Inman who attended.

Selectman Klumb noted that each Selectman has been working on the budget regarding the cuts made a Town Meeting with no resolution to date. Chairman Mullins noted that they are looking for any flexibility in the budget, explaining some of the logic applied to looking towards any savings. Selectman Klumb reviewed his suggestions with the Board, with no decisions made. There was some participation from the audience.

Mr. Vary noted that he felt that the Townspeople had been asked at the Town Meeting to make any recommended cuts from Article 21 (Public Safety). Selectman Klumb noted that it was immaterial at this time and that the Board was looking for the best and safest way to move forward, though he was convinced that someone will lose their job. Chairman Hashem noted that in any organization, payroll was the biggest expense. Bruce Johnson recommended dropping the lawsuit with the Campground to save legal fees. Chairman Mullins and Selectman Hashem noted that the Board of Selectmen were charged with upholding the Zoning Board decisions and cannot arbitrarily enforce issues.

Heidi Pelchat inquired as to whether there would be a cost to using State Police as had been previously suggested. Selectman Klumb advised that he had not gotten a return call from his inquiry. She inquired about the possibility of a Special Town Meeting without going through the Court. She was reminded it would take 50% of the registered voters which doesn't seem plausible, though she thought it could work. Should there be layoffs, Selectman Klumb advised that unemployment would be paid, but through the insurance. Geoff Martin inquired as to whether the Town could run a deficit spending. Selectman Klumb advised that only if it was a catastrophe and with advance notice to DRA; certainly not purposely. It was asked what was surplus. Selectman Hashem advised that it was money used to reduce taxes. Selectman Klumb advised that the Board had informed the public of where the budget is now, advising that the Board will continue to ask Department Heads to run frugally. Discussion on the budget will continue at the next regularly scheduled meeting on April 20<sup>th</sup>.

Sue Roberts, a life long resident and owner of a local business, advised that someone had told her that they were aware of a petition that she had written to “get rid of our Police Department”. She would like someone to come forward with that petition. She advised that she did not write that and wanted it acknowledged. She does not know where the rumor comes from, but has heard it herself. She advised that she valued her reputation and doesn't like it. She advised that she was a “cops” girl noting that her Dad had been a State Trooper and Chief of Webster. She met with Counsel and it was suggested that she make everyone aware, if approved by the Selectmen and it was, that she knew of the rumor and that it upset her and that she would like it to stop.

Joan Doucette inquired about any progress on her request to repair the retaining wall separating her property from the Town Hall. Mr. Bean advised that he is working on a resolution.

Mr. Vary inquired about a letter received by the Board from Roger Becker and asked if it would be read at this meeting. He was advised that it was in the Selectmen's Read Folder and if anyone wished a copy of it, it was public record.

9:12 P.M. Chairman Mullins made a motion to adjourn; seconded by Selectman Hashem and approved.